

By: Kolkhorst

S.B. No. 555

A BILL TO BE ENTITLED

AN ACT

relating to the entry of real property under a claim of eminent domain authority; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2206, Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. ACTIVITIES RELATING TO EXERCISE OF EMINENT DOMAIN AUTHORITY

Sec. 2206.210. OFFENSE: ENTRY OF PROPERTY UNDER CLAIM OF EMINENT DOMAIN AUTHORITY. (a) A person commits an offense if the person:

(1) enters or attempts to enter the real property of another; and

(2) at the time of the entry or attempted entry, asserts that the entry is authorized by or requested in connection with eminent domain authority of an entity the person represents or claims to represent that does not possess that eminent domain authority.

(b) Proof of a culpable mental state under Subsection (a)(2) is not required for a conviction of an offense under this section.

(c) An offense under this section is a state jail felony.

SECTION 2. This Act takes effect September 1, 2017.